

Where the government waives any statute of limitations defense to petitioner's § 2255 motion and concedes that petitioner's motion to vacate sentence should be granted, and where the court, having reviewed the record, finds petitioner's motion meritorious, said motion is GRANTED and the judgment of conviction and sentence dated July 14, 2008 is VACATED. The motion for revocation of supervised release (DE # 32) is DENIED, and the clerk of court shall remove from the court's calendar the hearing scheduled for September 6, 2012. Petitioner is ORDERED to be released from federal custody, subject to pending detainers, if any, unless some cause be shown by the government on or before noon on August 27, 2012, why petitioner is not now entitled to this relief.

SO ORDERED, this the 24th day of August, 2012.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive, flowing style.

LOUISE W. FLANAGAN
United States District Judge